

108TH CONGRESS  
1ST SESSION

# S. 246

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IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2003

Referred to the Committee on Resources

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## AN ACT

To provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. DEFINITIONS.**

2 In this Act:

3 (1) AGREEMENT.—The term “Agreement”  
4 means the agreement entitled “Agreement to Affirm  
5 Boundary Between Pueblo of Santa Clara and Pueb-  
6 lo of San Ildefonso Aboriginal Lands Within Garcia  
7 Canyon Tract”, entered into by the Governors on  
8 December 20, 2000.

9 (2) BOUNDARY LINE.—The term “boundary  
10 line” means the boundary line established under sec-  
11 tion 4(a).

12 (3) GOVERNORS.—The term “Governors”  
13 means—

14 (A) the Governor of the Pueblo of Santa  
15 Clara, New Mexico; and

16 (B) the Governor of the Pueblo of San  
17 Ildefonso, New Mexico.

18 (4) INDIAN TRIBE.—The term “Indian tribe”  
19 has the meaning given the term in section 4 of the  
20 Indian Self-Determination and Education Assistance  
21 Act (25 U.S.C. 450b).

22 (5) PUEBLOS.—The term “Pueblos” means—

23 (A) the Pueblo of Santa Clara, New Mex-  
24 ico; and

25 (B) the Pueblo of San Ildefonso, New Mex-  
26 ico.

1           (6) SECRETARY.—The term “Secretary” means  
2           the Secretary of the Interior.

3           (7) TRUST LAND.—The term “trust land”  
4           means the land held by the United States in trust  
5           under section 2(a) or 3(a).

6 **SEC. 2. TRUST FOR THE PUEBLO OF SANTA CLARA, NEW**  
7 **MEXICO.**

8           (a) IN GENERAL.—All right, title, and interest of the  
9           United States in and to the land described in subsection  
10          (b), including improvements on, appurtenances to, and  
11          mineral rights (including rights to oil and gas) to the land,  
12          shall be held by the United States in trust for the Pueblo  
13          of Santa Clara, New Mexico, as part of the Santa Clara  
14          Reservation.

15          (b) DESCRIPTION OF LAND.—The land referred to in  
16          subsection (a) consists of approximately 2,484 acres of  
17          Bureau of Land Management land located in Rio Arriba  
18          County, New Mexico, and more particularly described  
19          as—

20                (1) the portion of T. 20 N., R. 7 E., Sec. 22,  
21          New Mexico Principal Meridian, that is located  
22          north of the boundary line;

23                (2) the southern half of T. 20 N., R. 7 E., Sec.  
24          23, New Mexico Principal Meridian;

1 (3) the southern half of T. 20 N., R. 7 E., Sec.  
2 24, New Mexico Principal Meridian;

3 (4) T. 20 N., R. 7 E., Sec. 25, excluding the  
4 5-acre tract in the southeast quarter owned by the  
5 Pueblo of San Ildefonso;

6 (5) the portion of T. 20 N., R. 7 E., Sec. 26,  
7 New Mexico Principal Meridian, that is located  
8 north and east of the boundary line;

9 (6) the portion of T. 20 N., R. 7 E., Sec. 27,  
10 New Mexico Principal Meridian, that is located  
11 north of the boundary line;

12 (7) the portion of T. 20 N., R. 8 E., Sec. 19,  
13 New Mexico Principal Meridian, that is not included  
14 in the Santa Clara Pueblo Grant or the Santa Clara  
15 Indian Reservation; and

16 (8) the portion of T. 20 N., R. 8 E., Sec. 30,  
17 that is not included in the Santa Clara Pueblo Grant  
18 or the San Ildefonso Grant.

19 **SEC. 3. TRUST FOR THE PUEBLO OF SAN ILDEFONSO, NEW**  
20 **MEXICO.**

21 (a) IN GENERAL.—All right, title, and interest of the  
22 United States in and to the land described in subsection  
23 (b), including improvements on, appurtenances to, and  
24 mineral rights (including rights to oil and gas) to the land,  
25 shall be held by the United States in trust for the Pueblo

1 of San Ildefonso, New Mexico, as part of the San Ildefonso  
2 Reservation.

3 (b) DESCRIPTION OF LAND.—The land referred to in  
4 subsection (a) consists of approximately 2,000 acres of  
5 Bureau of Land Management land located in Rio Arriba  
6 County and Santa Fe County in the State of New Mexico,  
7 and more particularly described as—

8 (1) the portion of T. 20 N., R. 7 E., Sec. 22,  
9 New Mexico Principal Meridian, that is located  
10 south of the boundary line;

11 (2) the portion of T. 20 N., R. 7 E., Sec. 26,  
12 New Mexico Principal Meridian, that is located  
13 south and west of the boundary line;

14 (3) the portion of T. 20 N., R. 7 E., Sec. 27,  
15 New Mexico Principal Meridian, that is located  
16 south of the boundary line;

17 (4) T. 20 N., R. 7 E., Sec. 34, New Mexico  
18 Principal Meridian; and

19 (5) the portion of T. 20 N., R. 7 E., Sec. 35,  
20 New Mexico Principal Meridian, that is not included  
21 in the San Ildefonso Pueblo Grant.

22 **SEC. 4. SURVEY AND LEGAL DESCRIPTIONS.**

23 (a) SURVEY.—Not later than 180 days after the date  
24 of enactment of this Act, the Office of Cadastral Survey  
25 of the Bureau of Land Management shall, in accordance

1 with the Agreement, complete a survey of the boundary  
 2 line established under the Agreement for the purpose of  
 3 establishing, in accordance with sections 2(b) and 3(b),  
 4 the boundaries of the trust land.

5 (b) LEGAL DESCRIPTIONS.—

6 (1) PUBLICATION.—On approval by the Gov-  
 7 ernors of the survey completed under subsection (a),  
 8 the Secretary shall publish in the Federal Register—

9 (A) a legal description of the boundary  
 10 line; and

11 (B) legal descriptions of the trust land.

12 (2) TECHNICAL CORRECTIONS.—Before the  
 13 date on which the legal descriptions are published  
 14 under paragraph (1)(B), the Secretary may correct  
 15 any technical errors in the descriptions of the trust  
 16 land provided in sections 2(b) and 3(b) to ensure  
 17 that the descriptions are consistent with the terms  
 18 of the Agreement.

19 (3) EFFECT.—Beginning on the date on which  
 20 the legal descriptions are published under paragraph  
 21 (1)(B), the legal descriptions shall be the official  
 22 legal descriptions of the trust land.

23 **SEC. 5. ADMINISTRATION OF TRUST LAND.**

24 (a) APPLICABLE LAW.—The trust land shall be ad-  
 25 ministered in accordance with laws generally applicable to

1 property held in trust by the United States for Indian  
2 tribes.

3 (b) PUEBLO LANDS ACT.—The following shall be  
4 subject to section 17 of the Act of June 7, 1924 (25  
5 U.S.C. 331 note; commonly known as the “Pueblo Lands  
6 Act”):

7 (1) The trust land.

8 (2) Any land owned as of the date of enactment  
9 of this Act or acquired after the date of enactment  
10 of this Act by the Pueblo of Santa Clara in the  
11 Santa Clara Pueblo Grant.

12 (3) Any land owned as of the date of enactment  
13 of this Act or acquired after the date of enactment  
14 of this Act by the Pueblo of Santa Ildefonso in the  
15 San Ildefonso Pueblo Grant.

16 (c) USE OF TRUST LAND.—Subject to criteria devel-  
17 oped by the Pueblos in concert with the Secretary, the  
18 trust land may be used only for traditional and customary  
19 uses or stewardship conservation for the benefit of the  
20 Pueblo for which the trust land is held in trust. Beginning  
21 on the date of enactment of this Act, the trust land shall  
22 not be used for any new commercial developments.

23 **SEC. 6. EFFECT.**

24 Nothing in this Act—

1           (1) affects any valid right-of-way, lease, permit,  
2           mining claim, grazing permit, water right, or other  
3           right or interest of any person or entity (other than  
4           the United States) in or to the trust land that is in  
5           existence before the date of enactment of this Act;

6           (2) enlarges, impairs, or otherwise affects a  
7           right or claim of the Pueblos to any land or interest  
8           in land based on Aboriginal or Indian title that is  
9           in existence before the date of enactment of this Act;

10          (3) constitutes an express or implied reservation  
11          of water or water right for any purpose with respect  
12          to the trust land; or

13          (4) affects any water right of the Pueblos in ex-  
14          istence before the date of enactment of this act.

Passed the Senate June 16, 2003.

Attest:

EMILY J. REYNOLDS,

*Secretary.*